

**McDERMOTT WILL & EMERY LLP**  
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Telephone: 310.277.4110  
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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

STEVEN SULLIVAN, an individual;  
SULLIVAN INTERNATIONAL  
GROUP, INC., a California  
corporation,

Plaintiffs,

v.

TETRA TECH, INC., a Delaware  
corporation; TETRA TECH EMI,  
INC., a Delaware corporation; JOHN  
TEEL, an individual; DANIEL  
BATRACK, an individual; RANDY  
FETTERS, an individual; MARK  
WALSH, an individual; MICHAEL  
WANTA, an individual; EDWARD  
SUSSENGUTH, an individual; and  
DOES 1-50, inclusive,

Defendants.

CASE NO. 08CV1433 JML SP

**PROOF OF SERVICE OF NOTICE  
OF REMOVAL OF ACTION**

1 I, Nathan Youngman, hereby certify and declare as follows:

2 1. I am over the age of 18 and not a party to the within action. My  
3 business address is 121 BROADWAY, #332, San Diego, CA, which is located in the  
4 city, county, and state where the mailing described below took place.

5 2. On August 7, 2008, I delivered by hand to the Clerk of the Superior  
6 Court in and of the County of San Diego at 330 West Broadway, San Diego,  
7 California 92101, the document described as: Notice of Filing of Removal, a copy  
8 of which is attached to this Proof of Service as Exhibit A.

9 3. On August 7, 2008, I delivered by hand copies of the following  
10 documents:

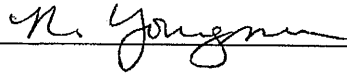
- 11 a. Notice of Removal of Action under U.S.C. § 1441 [Federal  
12 Question];  
13 b. Civil Case Cover Sheet  
14 c. Rule 7.1 Disclosure Statement of Defendant Tetra Tech, Inc.;  
15 d. Rule 7.1 Disclosure Statement of Defendant Tetra Tech EMI,  
16 Inc.; and  
17 e. Notice of Filing of Removal;

18  
19 to the person(s) at the address(es) set forth below:

20  
21 Kenneth M. Fitzgerald  
22 Christopher A. Rheinheimer  
23 Latham & Watkins LLP  
24 600 West Broadway, Suite 1800  
25 San Diego, CA 92101  
26 Phone: 619.236.1234  
27 Facsimile: 619.696.7419  
28

1 I declare under penalty of perjury under the laws of the United States that  
2 the foregoing is true and correct.

3 Executed on August 7, 2008, at Los Angeles, California.  
4

5   
6

MCDERMOTT WILL & EMERY LLP  
ATTORNEYS AT LAW  
LOS ANGELES

# EXHIBIT A

**COPY**

**McDERMOTT WILL & EMERY LLP**  
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Facsimile: 310.277.4730

Attorneys for Defendants

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

CENTRAL DIVISION

**BY FAX**

STEVEN SULLIVAN, an individual;  
SULLIVAN INTERNATIONAL  
GROUP, INC., a California corporation,

Plaintiff,

v.

TETRA TECH, INC., a Delaware  
corporation; TETRA TECH EMI, INC.,  
a Delaware corporation; JOHN TEEL,  
an individual; DANIEL BATRACK, an  
individual; RANDY FETTERS, an  
individual; MARK WALSH, an  
individual; MICHAEL WANTA, an  
individual; EDWARD SUSSENGUTH,  
an individual, and DOES 1-50, inclusive,

Defendants.

CASE NO. 37-2008-00084804-CU-BT-CTL

**NOTICE OF FILING OF NOTICE OF  
REMOVAL**

First Amended Complaint Filed July 8, 2008

McDERMOTT WILL & EMERY LLP  
ATTORNEYS AT LAW  
LOS ANGELES

LAS99 1669641-1.079048.0014

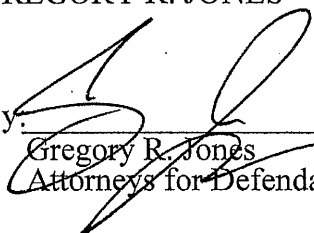
NOTICE OF FILING OF NOTICE OF REMOVAL

1 TO PLAINTIFFS AND THE CLERK OF THE ABOVE-ENTITLED COURT:  
 2 PLEASE TAKE NOTICE that on August 7, 2008, Defendants Tetra Tech, Inc.,  
 3 Tetra Tech EMI, Inc., Daniel Batrack, Randy Feters, Edward Sussenguth, John Teel,  
 4 Mark Walsh, and Michael Wanta ("Defendants"), by and through their undersigned  
 5 attorneys, McDermott Will & Emery LLP, filed in the United States District Court for the  
 6 Southern District of California under Case No. 08CV1433 JML SP, a Notice of Removal  
 7 of Action No. 37-2008-00084804-CU-BT-CTL from the Superior Court of the State of  
 8 California, County of San Diego. A copy of the Notice of Removal is attached hereto as  
 9 Exhibit A.

10 PLEASE TAKE FURTHER NOTICE that pursuant to 28 U.S.C. § 1446, the filing  
 11 of the Notice of Removal in the United States District Court for the Southern District of  
 12 California, together with a filing of a copy of this Notice with this Court, removes this  
 13 action from the Superior Court, which may proceed no further unless and until the case is  
 14 remanded.

15 Dated: August 7, 2008

**McDERMOTT WILL & EMERY LLP**  
 JAMES L. SANDERS  
 GREGORY R. JONES

18 By:   
 19 Gregory R. Jones  
 20 Attorneys for Defendants  
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